UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK		
BARRY BATSON, et al.,	X : :	
Plaintiffs,	:	15-CV-7576 (ALC) (OTW)
-against-	:	ORDER TO SHOW CAUSE

RIM SAN ANTONIO ACQUISITION, LLC, et al.,

------v

## ONA T. WANG, United States Magistrate Judge:

Defendants.

On July 28, 2022, the Court conducted a Settlement Conference with the parties at which Plaintiffs reached a settlement agreement with *pro se* Defendant Scott Morgan ("Morgan"). On February 6, 2023, Plaintiffs filed a motion to enforce that settlement agreement. (ECF 253). At the time of filing, Plaintiffs reported that Mr. Morgan had not made any payments in the six months following the Settlement Conference and requested that the Court order Mr. Morgan to pay. (ECF 253 at 2). On February 7, 2023, the Honorable Andrew L. Carter ordered Mr. Morgan to file a response. (ECF 255). On May 5, 2023, Mr. Morgan filed a response representing that he "continue[s] to make monthly payments pursuant to the settlement agreement which have been accepted by Plaintiff, without objection" and requested the court "dismiss" Plaintiff's motion. (ECF 265 at 2).

On August 3, 2023, I ordered the parties to meet and confer and file a joint status letter by August 14, 2023, on the status of Morgan's payments and Plaintiffs' motion to enforce the settlement agreement (ECF 253). (ECF 268). On August 14, 2023, Plaintiffs filed a letter reporting that Mr. Morgan had only made two payments totaling \$10,000 out of the \$50,000

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Mr. Morgan agreed to pay in July of 2022 to settle the claims against him: one payment of

\$5,000 on March 7, 2023, and one payment of \$5,000 on April 14, 2023. (ECF 270). Since then,

Plaintiffs reported that they have not received any additional payments and had attempted to

confer with Mr. Morgan regarding the Court's order, but did not receive a response. (ECF 270).

Accordingly, Defendant Scott Morgan is ORDERED TO SHOW CAUSE, by October 16,

2023, why I should not recommend that judgment be entered against him in the amount of

\$40,000, or the remaining balance as of October 16, 2023. Defendant Mr. Morgan's showing of

cause shall be filed by letter on the docket. Plaintiffs shall file a letter by October 16, 2023,

reporting the remaining balance.

Counsel for Plaintiffs is directed to serve a copy of this Order on all Defendants and file

proof of service on the docket.

The Clerk of Court is respectfully directed to close ECF 253.

SO ORDERED.

Dated: August 17, 2023

New York, New York

s/ Ona T. Wang

Ona T. Wang

United States Magistrate Judge